

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DIVISION OF OHIO  
EASTERN DIVISION**

**KENNETH PUND, *et al.***

**Plaintiffs,**

**v.**

**CITY OF BEDFORD, OHIO, *et al.***

**Defendants.**

**: Case No. 16-CV-1076**  
**:**  
**: Judge Benita Y. Pearson**  
**:**  
**: SWORN SECOND DECLARATION OF**  
**: KENNETH PUND**  
**:**  
**:**  
**:**

Pursuant to 28 U.S.C. § 1746, I, Kenneth Pund, declare the following:

1. I am over 18 years of age and competent to testify about the matters set forth herein.
2. I maintain personal knowledge of the facts contained herein because I own the homes listed in my original and amended complaints in this case and I have endured numerous rental inspections since the City of Bedford's rental inspection mandates began.
3. The City of Bedford only schedules rental inspections after I call the City regarding a change of tenant and pay the rental inspection fee(s).
4. The City has never bypassed me and directly contacted my tenants to obtain their consent to impose a rental inspection without my knowledge.
5. No tenant of mine has ever consented to a rental inspection.
6. To the extent that any of my tenants have ever tolerated a rental inspection, it has only been because the tenant understand that I am compelled to endure such searches at the risk of criminal punishment and I have prearranged the tenant's approval to avoid punishment.
7. The City's inspections provide no value to property owners because (1) we have full time maintenance people and conduct our own thorough inspections directly after a tenant moves out and directly before a new tenant moves in, often alongside the new tenant; and (2) the City does not notify property owners of the results of the inspections for approximately three to five months after doing the inspection - long after the new tenant has already moved in.

8. In my experience, the City's inspections fail to provide a substitute for private inspections, whether done by the property owner, the property owner's maintenance personnel, or a professional private inspector.
9. In my experience, the City does the inspections to collect revenue: while they often take place in very intrusive locations that should not be searched they are also often very superficial.
10. While, I have called the City of Bedford to initiate rental inspections (and paid the inspection fees) in the past, I have never done so voluntarily: I have only done so because the City requires landlords to call and initiate an inspection before a rental home can be inhabited. I felt compelled and coerced to endure those inspections.
11. I do not know any City of Bedford landlord or homeowner who has or would voluntarily initiate a city inspection of his or her property, were the inspections truly voluntary.

I declare under penalty of perjury that the foregoing is true and correct.

**Executed on this 15<sup>th</sup> day of November, 2017.**

/s/ Kenneth Pund

Kenneth Pund

Plaintiff